

CHAPTER 55.5-02-03 SUPERVISION

Section

55.5-02-03-01

Supervision

55.5-02-03-02

Delineation of Tasks to Unlicensed Persons

55.5-02-03-01. Supervision. The occupational therapist shall exercise appropriate supervision over persons who are authorized to practice only under the supervision of the licensed therapist. No occupational therapist may supervise more than three occupational therapy assistants at the same time providing that at least one of the occupational therapy assistants has five or more years of experience in occupational therapy.

1. Supervision is a collaborative process that requires both the licensed occupational therapist and the licensed occupational therapy assistant to share responsibility. Supervision is providing direction in the performance of specific, delineated tasks and responsibilities that are delivered by a licensed occupational therapy assistant and includes the responsibility of reviewing the results of any occupational therapy procedure conducted by the supervisee. Appropriate supervision will include consideration given to factors such as level of skill, the establishment of service competency, experience, and work-setting demands, as well as the complexity and stability of the client population to be treated. Supervisors who take a leave of absence or vacation must make arrangements to have their supervisory responsibilities filled by another qualified supervisor.
2. Any occupational therapy assistant who has practiced occupational therapy less than one thousand six hundred fifty hours shall receive onsite supervision from a licensed occupational therapist. Onsite supervision means daily, direct, face-to-face collaboration at least twenty-five percent of the workday and for the remaining seventy-five percent of the workday, the supervisor must be on the premises and readily available by methods such as telephone or electronic communication for face-to-face consultation.
3. The occupational therapy assistant, with greater than one thousand six hundred fifty hours but less than five years of work experience in occupational therapy, shall receive monthly, direct, face-to-face collaboration at the worksite by a licensed occupational therapist at least five percent of the total occupational therapy work hours as a practicing occupational therapy assistant with interim supervision occurring by other methods such as telephone or electronic communication.
4. The occupational therapy assistant with greater than five years of occupational therapy work experience shall receive monthly, direct, face-to-face collaboration by a licensed occupational therapist a minimum of two and one-half percent of the total occupational therapy

work hours with interim supervision occurring by other methods such as telephone or electronic communication.

5. Licensed occupational therapy assistants, regardless of their years of experience, may require closer supervision by the licensed occupational therapist for interventions that are more complex or evaluative in nature and for areas in which service competencies have not been established.
6. Supervision of the occupational therapist limited permitholder and occupational therapy assistant limited permitholder shall include initial and periodic inspection of written evaluations, written intervention plans, patient notes, and periodic evaluation of client interaction. Such reviews and evaluations must be conducted in person by a licensed occupational therapist. Supervision is required for a minimum of twenty-five percent of the weekly work hours. An occupational therapy assistant limited permitholder must have onsite supervision by a licensed occupational therapist.
7. Any documentation written by a limited permitholder for inclusion in the client's official record shall also be reviewed and signed by the supervising licensed occupational therapist.
8. The supervising occupational therapist shall determine that limited permitholders and occupational therapy assistants hold current permits or licenses to practice or assist in the practice of occupational therapy prior to allowing the limited permitholders and occupational therapy assistants to engage in or assist in the practice of occupational therapy.

History: Effective April 1, 1988; amended effective November 1, 2000; February 1, 2004.

General Authority: NDCC 43-40-05

Law Implemented: NDCC 43-40-01(3), 43-40-13

55.5-02-03-02. Delineation of tasks to unlicensed persons.

1. The primary function of unlicensed supportive personnel functioning in an occupational therapy setting is to perform designed routine tasks related to the operation of an occupational therapy service. An occupational therapist or an occupational therapy assistant may delegate to unlicensed persons only specific tasks which are neither evaluative, assessive, task selective, nor recommending in nature, and only after ensuring that the unlicensed person has been appropriately trained and has supportive documentation for the performance of the tasks. Such tasks may include:
 - a. Routine department maintenance;
 - b. Transportation of patients and clients;

- c. Preparation or setting up of treatment equipment and work area;
 - d. Taking care of patient's and client's personal needs during treatments;
 - e. Assisting the occupational therapist or occupational therapy assistant in the construction of adaptive equipment; and
 - f. Clerical, secretarial duties.
2. The occupational therapist or occupational therapy assistant may not delegate to unlicensed persons:
- a. Performance of occupational therapy evaluative procedures;
 - b. Initiation, planning, adjustment, modification, or performance of occupational therapy treatment procedures;
 - c. Making occupational therapy entries directly in patient's or client's official records; and
 - d. Acting on behalf of the occupational therapist in any matter related to occupational therapy intervention which requires decisionmaking.

History: Effective November 1, 2000.

General Authority: NDCC 43-40-05

Law Implemented: NDCC 43-40-03.1